

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAVID CARABALLO,

Plaintiff,

-against-

DEPARTMENT OF CORRECTIONS CITY
OF NEW YORK, et al.,

Defendants.

Case No. 1:22-cv-00971 (JLR)

ORDER

JENNIFER L. ROCHON, United States District Judge:


On October 31, 2022, the Court dismissed Plaintiff's Complaint, and permitted leave to file an amended complaint by January 10, 2023. ECF No. 23. Plaintiff did not amend his complaint by that date. In light of Plaintiff's *pro se* status, the Court *sua sponte* permitted Plaintiff additional time – until April 13, 2023 – to file an amended complaint. ECF No. 24. The Court also noted that failure to file an amended complaint would result in dismissal of the case, without prejudice, for failure to prosecute. *Id.* To date, Plaintiff has not amended his complaint.

Accordingly, the case is dismissed without prejudice. The Clerk of Court is respectfully directed to CLOSE the case. The Clerk of Court is also directed to mail a copy of this Order to Plaintiff at the address listed on the docket, and the below address:

David Caraballo (NYSID 02481972K)
George R. Vierno Center (GRVC)
09-09 Hazen Street
East Elmhurst, NY 11370

Dated: April 14, 2023
New York, New York

SO ORDERED.


JENNIFER L. ROCHON
United States District Judge